

HOGAN et al
Appl. No. 10/068,001

REMARKS/ARGUMENTS

By the current amendment, Applicants basically:

1. Amend the Abstract.
2. Editorially amend the specification.
3. Cancel claims 20 – 41 and 73 – 94 without prejudice or disclaimer.
4. Amend claims 1, 6, 54, and 59.
5. Respectfully traverse all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

Claims 1-9, 13-16, 18, 20-32, 36-38, 40, 42-47, 50-51, 54-62, 66-69, 71, 73-85, 89-91 and 94 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent 5,862,480 to Wild et al. All prior art rejections are respectfully traversed for at least the following reasons.

Independent claims 1 and 54 have been amended to specify that the user equipment unit receives the access group eligibility message and *makes a determination* whether the user equipment unit is eligible to operate in a cell for which the access group eligibility message is transmitted, the *determination involving a comparison of access group eligibility information transmitted in the access group message and an access group classification which is stored at the user equipment unit.*

Original independent claim 42 similarly specified that the access controller, which comprises the *user equipment unit...compares* the stored access group classification with contents of the access group eligibility message *to determine whether the user equipment unit is allowed access to the cell for which the access group eligibility message is transmitted.*

Thus, in independent claims 1, 42, and 54, the user equipment unit makes the determination for itself whether the user equipment is allowed access. Such is not the

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case in U.S. Patent 5,862,480 to Wild et al., for Wild's "access server (110) ... determines can access the network" See, e.g., Abstract; col. 4, lines 47+, including the following statements:

...GW 108 receives the access request and contacts access server 100 to determine whether SU 104 belongs to a group of SU users who are authorized to use the network 100 (Col. 4, lines 63 - 65).

Access server 110 evaluates information in the access request which classifies SU. (Col 4, lines 66 - 67).

If access server 110 determines that SU 104 is not in a group of users which are excluded from accessing network 100, access server 110 returns that determination to GW 108....(col. 5, lines 8+).

See also: col. 7, lines 50 - 53; col. 9, lines 37 - 38, and col. 10, lines 2 - 7.

As shown in Wild's Figs. 1 and 3, for example, the Wild access server 110 - the access determination entity -- is not in the SU.

Thus, U.S. Patent 5,862,480 to Wild et al. is fundamentally about the SU asking the network if it allowed in a certain location, and if not access is rejected by the network. That is standard in current networks and irrelevant to independent claims 1, 24, and 54. The Wild (SU) does not make its own access decision.

By contrast, Applicant's user equipment unit performs a comparison and thereby saves signalling when possibly erroneously accessing the wrong network and having to be rejected explicitly by the network, or erroneously accessing the wrong cells within a shared network. Such is not taught or suggested by Wild.

The Wild SU sends the access server an "access code" which is used by the access server to make the access determination. If access is denied for a certain access code, the Wild SU receives from the network a list of other accessible nodes which the SU is

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allowed to access. From such list the SU determines (by the list being null or not) whether any network access is permitted and, if so, determines which of the already-permitted networks is preferred (see col. 13, lines 40+). These SU activities are not, of course, a threshold no access/access determination, but merely a determination of preference of networks already determined (by the network) to be accessible.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.


The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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